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MORGAN L. FITCH, JR.
 FRANCIS A. EVEN*
 JULIUS TABIN
 JOHN F. FLANNERY
 ROBERT B. JONES
 JAMES J. SCHUMANN
 JAMES J. HAMILL
 TIMOTHY E. LEVSTIK
 JOSEPH E. SHIPLEY
 KENNETH H. SAMPLES
 PHILIP T. PETTI
 JOSEPH T. NABOR
 STEVEN C. SCHROER
 RICHARD A. KABA*
 KARL R. FINK
 MARK W. HETZLER
 TIMOTHY P. MALONEY
 JAMES P. KRUEGER
 STEPHEN S. FAVAKEH
 RICHARD E. WAWRZYNIAK
 STEVEN G. PARMELEE
 THOMAS F. LEBENS
 BRUCE R. MANSFIELD
 KENDREW H. COLTON*
 G. PAUL EDGELL*
 MICHAEL A. SANZO*
 SCOTT A. MENGHINI
 NORMAN N. KUNITZ*
 RUDY KRATZ
 RAMON R. HOCH*

FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

Established in 1859

SUITE 401L - 1801 K STREET, NW
 WASHINGTON, D.C. 20006-1201

TELEPHONE (202) 419-7000

FACSIMILE (202) 419-7007

ILLINOIS OFFICE

SUITE 1600 - 120 SOUTH LA SALLE STREET, CHICAGO, ILLINOIS 60603-3406
 TELEPHONE (312) 577-7000

CALIFORNIA OFFICE

SUITE 250 - 9276 SCRANTON ROAD, SAN DIEGO, CA 92121-7708
 TELEPHONE (858) 552-1311

COLORADO OFFICE

SUITE 213 - 1942 BROADWAY, BOULDER, COLORADO 80302
 TELEPHONE (303) 402-6966

March 29, 2004

Commissioner of Patents
 U.S. Patent and Trademark Office
 2011 South Clark Place
 Customer Window, **MS Reissue**
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, VA 22202

Re: Reissue Patent Application
 (Reissue of U.S. 09/571,751, now U.S. 6,479,551)
 Appl. No.: to be assigned
 Filed: herewith
 For: **Treatment of Migraine Headache**
 Inventor(s): Plachetka, *et al.*
 Atty. Dkt.: 7569/80993

Sir:

The following documents are being forwarded herewith for appropriate action by the
 U.S. Patent and Trademark Office:

1. PTO SB/56 - Reissue Application Fee Transmittal Form (in duplicate);
2. A copy of U.S. 6,479,551, issued November 12, 2002;
3. Five sheets of Formal Drawings corresponding to those in the issued '551 patent, labeled as Fig. 1 - Fig.6;
4. Terminal Disclaimer filed in application no. 09/517,751;

EDWARD E. CLAIR
 JON A. BIRMINGHAM
 JOHN E. LYHUS
 STEVEN M. FREELAND
 DONNA E. BECKER
 MICHAEL G. VRANICAR
 BRIAN S. CLISE
 MARTIN R. BADER
 DEREK L. PRESTIN
 MARK A. BORSOS
 DAVID R. JAGLOWSKI
 TIMOTHY R. BAUMANN
 JEFFREY A. CHELSTROM
 NICHOLAS T. PETERS
 KENNETH A. PLOCHINSKI
 MEGAN J. REDMOND

PATENT AGENTS

ERIC J. WHITESELL
 LILIA I. SAFONOV

OF COUNSEL

GEORGE W. SPELLMIRE, JR.
 LISA M. SOMMER
 GEORGE H. SPENCER, P.C.*

TECHNICAL ADVISOR

JOHN M. BRONK, Ph.D.

*ADMITTED TO D.C. BAR; D.C. PRACTICE OF
 ALL OTHERS LIMITED TO FEDERAL COURTS
 AND AGENCIES

17513 U.S. PTO
10/811793

032904

5. Reissue Declaration;
6. Power of Attorney from Assignee and Revocation of Prior Powers;
7. Consent of Assignee to Reissue;
8. Statement Under 37 C.F.R. § 3.73(b);
9. Declaration of Michael A. Sanzo;
10. Preliminary Amendment;
11. General Authorization for Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(3);
12. General Authorization to Charge Deposit Account; and
13. Two (2) return postcards.

This application is a reissue of application no. 09/517,751, which was filed on March 3, 2000 and which issued as U.S. Patent 6,479,551 on November 12, 2002. The '751 application was a continuation-in-part of application no. 08/966,506, filed on November 10, 1997 (now U.S. Patent 6,077,539), which was a continuation-in-part of application no. 08/748,332, filed on November 12, 1996, now abandoned. Priority is claimed to all of these previous applications.

Correspondence in this case should be directed to:

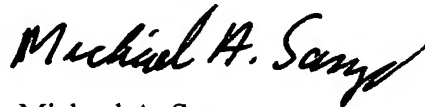
**Michael A. Sanzo
Fitch, Even, Tabin & Flannery
1801 K Street, N.W., Suite 401L
Washington, DC 20006-1201
Phone: (202) 419-7013
Fax: (202) 419-7007**

Commissioner of Patents
March 29, 2004
Page 3

It is respectfully requested that the enclosed postpaid postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that they be returned as soon as possible.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in black ink, reading "Michael A. Sanzo". The signature is written in a cursive style with a large, sweeping "M" and a long, horizontal stroke at the end.

Michael A. Sanzo
Attorney for Applicant
Registration No. 36,912

MAS:ct
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional)

7569/80993

Claims as Filed – Part 1

	(1) Claims in Patent	(2) Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity	
				Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	(A) 49	(B) 49	**** 0 =	x \$ _____ =			x \$ _____ = 0
Independent claims (37 CFR 1.16(i))	(C) 9	(D) 9	* 0 =	x \$ _____ =		or	x \$ _____ = 0
Basic Fee (37 CFR 1.16(h))				\$ _____			\$ 770
Total Filing Fee				\$ _____		OR	\$ 770.00

Claims as Amended – Part 2

	(1) Claims Remaining After Amendment	(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
				Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 39	MINUS ** 49	* = 0	x \$ _____ =			x \$ 18 = 0
Independent Claims (37 CFR 1.16(i))	*** 6	MINUS ***** 9	= 0	x \$ _____ =			x \$ 86 = 0
Total Additional Fee				\$		OR	\$ 0.00

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims.

**** If "A" is greater than 20, use (B – A); if "A" is 20 or less, use (B – 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

☐ Applicant claims small entity status. See 37 CFR 1.27.☒ Please charge Deposit Account Number 06-1135 in the amount of \$770.00.
A duplicate copy of this sheet is enclosed. under Order No. 7569/80993.☒ The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account Number 06-1135 under Order No. 7569/80993.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing/additional fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**March 26, 2004
Date36,912
Registration Number, if applicableMichael A. Sanzo
Signature of Applicant, Attorney or Agent of RecordMichael A. Sanzo
Typed or printed name

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue patent application of:

Plachetka, *et al.*

Appl. No.: To be assigned
(For reissue of Patent No.: 6,479,551)

Filed: Herewith

For: **Treatment of Migraine Headache**

Art Unit: To be assigned
(Formerly 1616)

Examiner: To be assigned
(Formerly F. Choi)

Atty. Dkt.: 7569/80993

General Authorization to Charge Deposit Account

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, MS Reissue
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7569/80993.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By Michael A. Sanzo
Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicants

Date March 26, 2004
1801 K Street, N.W., Suite 401L
Washington, DC 20006-1201
Phone: (202) 419-7013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re issuance patent application of:

Plachetka, *et al.*

Appl. No.: To be assigned
(For reissue of Patent No.: 6,479,551)

Filed: Herewith

For: **Treatment of Migraine Headache**

Art Unit: To be assigned
(Formerly 1616)

Examiner: To be assigned
(Formerly F. Choi)

Atty. Dkt.: 7569/80993

**General Authorization for Petition for
Extension of Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicants hereby request under 37 C.F.R. §1.136 by this general authorization that any concurrent or future reply submitted by Applicants to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136 for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicants do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136 which may become due for this application under 37 C.F.R. §1.17 by check, the Director is hereby authorized to charge such fee(s), and any additional fees which may be required in this

application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7569/80993.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By Michael A. Sanzo

Michael A. Sanzo

Reg. No. 36,912

Attorney for Applicants

Date March 26, 2004
1801 K Street, N.W., Suite 401L
Washington, DC 20006-1201
Phone: (202) 419-7013